

8/18/2005 11:19 AM FROM: 5858993973 Basch _Nickerson LLP TO: 15712733300 PAGE: 001 OF 030

Patent Application Number: 10/644,472

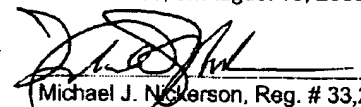
Attorney Docket Number: A2456-US-NP

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Date

August 18, 2005


(Michael J. Nickerson, Reg. # 33,265)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ricardo L. de QUEIROZ et al. **GROUP:** 2861

SERIAL NO: 10/644,472

EXAMINER: L. Nguyen

FILED: August 20, 2003

CONFIRMATION: 5953

FOR: A SYSTEM AND METHOD FOR DIGITAL WATERMARKING IN A
CALIBRATED PRINTING PATH

Mail Stop Petitions

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Sir:

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. 1.313(c)(2)

The Honorable Commissioner is respectfully requested to withdraw the above-identified application from issuance immediately in consideration of the concurrently filed Request for Continued Examination under 37 C.F.R. 1.114 and information Disclosure Statement.

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8/18/2005 11:19 AM FROM: 5858993973 Basch _Nickerson LLP TO: 15712730025 PAGE: 002 OF 032

Patent Application Number: 10/644,472

Statement of Facts

1. On July 8, 2005, the European Patent Office mailed a Search Report corresponding to the European Counterpart for the above-identified application. A reasonable US Patent Examiner would consider the references cited in the European Search Report dated July 8, 2005 to be important in deciding whether or not the claims of the above-identified application are patentable.

2. The European Search Report dated July 8, 2005 was issued after the payment of the Issue Fee, paid June 9, 2005, for the above-identified application.

3. Concurrently with this Petition, the Applicants have filed a Request for Continued Examination under 37 C.F.R. 1.114 and an Information Disclosure Statement, citing the references cited in the European Search Report dated July 8, 2005, to enable the Examiner to give proper consideration to the references cited in the European Search Report dated July 8, 2005.

REMARKS

After the payment of the Issue Fee for the above-identified application, the Applicants received, from the European Patent Office, a Search Report dated July 8, 2005.

This Search Report cited references that a reasonable US Patent Examiner would consider to be important in deciding whether or not the claims of the above-identified application are patentable.

This Search Report could not have been brought before the Examiner before the payment of the Issue Fee because the Report was mailed on July 8, 2005 and the Issue Fee was paid on June 9, 2005.

To enable the Examiner the opportunity to give proper consideration to the references cited in the European Search Report dated July 8, 2005, the Applicants have filed, concurrently with this Petition, a Request for Continued Examination under 37

8/18/2005 11:19 AM FROM: 5858993973 Basch _Nickerson LLP TO: 15712730025 PAGE: 005 OF 032

Patent Application Number: 10/644,472

C.F.R. 1.114 and an Information Disclosure Statement, citing the references cited in the European Search Report dated July 8, 2005.

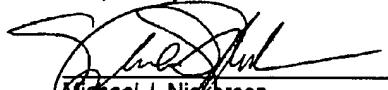
For all the reasons set forth above, the Applicants respectfully submit that it is proper to withdraw the above-identified application from issuance so that the Request for Continued Examination under 37 C.F.R. 1.114 can be granted and the references cited in the European Search Report, dated July 8, 2005, can be properly considered by the Examiner.

In conclusion, the Applicants respectfully request that the Honorable Commissioner immediately withdraw the above-identified application from Issuance. Moreover, the Applicants respectfully request that the Honorable Commissioner immediately grant the concurrently filed Request for Continued Examination under 37 C.F.R. 1.114 so that the references cited in the European Search Report, dated July 8, 2005, can be properly considered by the Examiner.

The Honorable Commissioner is respectfully encouraged to contact the undersigned to discuss the circumstances warranting this Petition.

Accordingly, in view of all the reasons set forth above and the concurrently filed Request for Continued Examination under 37 C.F.R. 1.114 and an Information Disclosure Statement, citing the references cited in the European Search Report dated July 8, 2005, the Honorable Commissioner is respectfully requested to grant the Petition under 37 C.F.R. 1.313(c)(2) and immediately withdraw the above-identified application from issuance.

Respectfully submitted,


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MJN/mjn